

REMARKS

Reconsideration of the application is respectfully requested for the following reasons:

1. Amendments to Specification

The specification has been revised to correct various minor idiomatic and grammatical errors. Because the changes are all formal in nature, it is respectfully submitted that the changes do not involve new matter.

2. Rejection Under 35 USC §112, 2nd Paragraph

This rejection has been addressed by amending the recitation of the first resistor in line 12 of claim 1 to properly refer back to the positive recitation of the first resistor in line 7. Various additional grammatical, idiomatic, and antecedence errors have also been corrected.

3. Rejection of Claims 1-6 Under 35 USC §103(a) in view of U.S. Patent No. 5,335,132 (DeShazo)

This rejection is respectfully traversed on the grounds that the DeShazo patent fails to disclose or suggest an overvoltage protective circuit a second transistor, first resistor, overvoltage protective element, and second resistor are arranged to cut of a first transistor *connected in series between the power supply and a motor drive circuit*, as recited in claim 1. To the contrary, the DeShazo patent discloses an overvoltage sensor circuit that operates by controlling a transistor Q4 connected between a load and ground to either *float* the potential across the load at a desired voltage (the so-called “latched” condition) or connect the load to ground.

According to the Examiner, transistor Q6 of DeShazo corresponds to the claimed first transistor. However, transistor Q6 is part of the load circuit 1, is connected between load L3 and ground, and is controlled by transistor Q4 and resistors R7 and R8. Therefore, transistor Q6 is not connected between the power supply and load, as claimed, and does not cut off the power supply to the load circuit. Furthermore, transistor Q4 also cannot correspond to the claimed first

transistor since it is also not connected between the power supply and the load, as claimed, and does not cut off the power supply to the load circuit.

The overvoltage sensor circuit of DeShazo thus differs from the claimed protective circuit in at least the following respects:

- In the circuit of DeShazo, no transistor is connected between the power supply and the load;
- The transistor Q4 of DeShazo shunts current past resistor R6, which is part of the load circuit and biases transistor Q6, allowing the load circuitry controlled by transistor Q4 to operate at a **different operating point** following an overvoltage in order to facilitate rapid return to normal operating conditions (*see, e.g.*, col. 4, lines 63-68 of DeShazo);
- In contrast, the claimed invention simply turns the power supply to the motor drive circuit on and off—**there is no attempt to change the operating point of the motor drive circuit**;
- Because the circuit of DeShazo continues supplying power to the load during an overvoltage condition, *it is necessary to shunt current through the load circuit*, resulting in the potential for damage.

The main objective of the circuit of DeShazo is to ensure continued supply of at least approximately normal voltage to the load during power surges, by quickly “**latching**” the power supply, whereas the claimed invention seeks to protect the load by repeatedly **cutting off** the power supply. Because of this difference in function, the differences in structure (DeShazo’s lack of a transistor connected in series between the power supply and the load) cannot be considered a “**design choice**,” and the DeShazo patent could not have suggested the claimed circuit, whether considered individually or in any reasonable combination with any of the other references of record. As a result, withdrawal of the rejection of claims 1-6 under 35 USC §103(a) is respectfully requested.

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Having thus overcome each of the rejections made in the Official Action, expedited passage of the application to issue is requested.

Respectfully submitted,

BACON & THOMAS, PLLC

A handwritten signature in black ink, appearing to read 'B. E. Urcia', with a long horizontal flourish extending to the right.

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